

AMENDED IN ASSEMBLY MARCH 19, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 306

Introduced by Assembly Member Fuller

February 17, 2009

An act to add Section ~~13318~~ 9094.5 to the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 306, as amended, Fuller. Elections: ~~sample ballots voter pamphlets.~~

Existing law requires the Secretary of State to prepare a state ballot pamphlet and to disseminate the complete contents of the state ballot pamphlet over the Internet. Existing law requires the Secretary of State to mail ballot pamphlets to voters.

This bill would require the Secretary of State to establish a process to allow voters to opt out of receiving the state ballot pamphlet by mail.

~~Existing law requires that a local elections official prepare and send a sample ballot to registered voters prior to the election.~~

~~This bill would provide that a local elections official would not send a sample ballot to a voter who has notified the local elections official in writing that he or she declines to receive a sample ballot for that election.~~

~~Because the bill would require the local elections official to determine whether he or she has received this notice from a voter, it would increase the duties of local elections officials, thereby imposing a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: ~~yes~~no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 9094.5 is added to the Elections Code,
2 to read:

3 9094.5. The Secretary of State shall establish a process to
4 enable a voter to opt out of receiving by mail the state ballot
5 pamphlet prepared pursuant to Section 9081. This process shall
6 become effective only after the Secretary of State certifies that the
7 state has a statewide voter registration database that complies
8 with the federal Help America Vote Act of 2002 (42 U.S.C. Sec.
9 15301 et seq.).

10 ~~SECTION 1. Section 13318 is added to the Elections Code, to~~
11 ~~read:~~

12 ~~13318. Notwithstanding any other provision of law, a local~~
13 ~~elections official shall not send a sample ballot to a registered voter~~
14 ~~who has notified the official in writing 60 days, at a minimum,~~
15 ~~prior to the election that he or she declines to receive a sample~~
16 ~~ballot for that election.~~

17 ~~SEC. 2. If the Commission on State Mandates determines that~~
18 ~~this act contains costs mandated by the state, reimbursement to~~
19 ~~local agencies and school districts for those costs shall be made~~
20 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
21 ~~4 of Title 2 of the Government Code.~~